

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re REFCO INC. SECURITIES LITIGATION

X Case No. 07-MD-1902 (JSR)

This Document Relates to:

KENNETH M. KRYS, et al.,

X Case No. 08-CV-3065 (JSR)

Plaintiffs, :

Case No. 08-CV-3086 (JSR)

-against-

CHRISTOPHER SUGRUE, et al.,

Defendants, :

:

X

*[Signature]* [PROPOSED] STIPULATION AND ORDER WITHDRAWING AND APPOINTING  
NEW LIAISON COUNSEL FOR THE DEFENDANTS' COORDINATING  
COMMITTEE

WHEREAS, by order dated November 9, 2009, the Court approved the creation of a Defendants' Coordinating Committee (the "DCC") and designated Philip D. Anker, Esq. of the law firm Wilmer Cutler Pickering Hale and Dorr LLP ("WilmerHale") as liaison to the Court and Special Masters on behalf of the DCC ("DCC Liaison Counsel");

WHEREAS, on December 26, 2012, the Court entered an Order granting a summary judgment motion filed by Defendants Credit Suisse Securities (USA) LLC ("Credit Suisse") and Merrill Lynch, Pierce, Fenner & Smith, Incorporated, as successor-by-merger to Banc of America Securities LLC ("BAS"), (and certain other defendants) and dismissing all remaining claims against Credit Suisse and BAS, which WilmerHale represents in the above-captioned MDL, (and such other defendants) (the "Dismissal Order");

WHEREAS, the Dismissal Order provides that final judgment as to Credit Suisse and BAS (and the same other defendants) will issue after the Court issues a written opinion setting forth the reasons for its Dismissal Order;

WHEREAS, in light of the Dismissal Order, WilmerHale no longer serves as counsel to any defendant against whom any claim is pending in the above-captioned MDL (the "Refco MDL");

WHEREAS, the law firm Winston & Strawn LLP continues to represent certain defendants that are parties in the Refco MDL; and

WHEREAS, Luke A. Connelly, a Partner at Winston & Strawn has agreed, subject to approval by the Court, to replace Mr. Anker as DCC Liaison Counsel;

IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for the undersigned parties, and ORDERED by the Court, as follows:

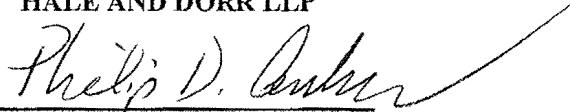
1. Luke A. Connelly, Esq. of the law firm Winston & Strawn LLP is hereby appointed and shall be DCC Liaison Counsel;

2. Philip D. Anker, Esq. of the law firm WilmerHale shall no longer hold the position of DCC Liaison Counsel and is hereby relieved of all duties associated with such position.

Dated: January 11, 2013  
New York, New York

**WILMER CUTLER PICKERING  
HALE AND DORR LLP**

By:

  
Philip D. Anker  
Peter J. Macdonald  
Jeremy S. Winer  
Ross E. Firsenebaum  
7 World Trade Center  
250 Greenwich Street  
New York, New York 10007

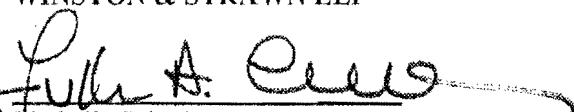
Tel: (212) 230-8800

*Attorneys for Credit Suisse Securities (USA) LLC  
and Merrill Lynch, Pierce, Fenner & Smith,  
Incorporated, as successor-by-merger to Banc of  
America Securities LLC*

Dated: January 11, 2013  
New York, New York

WINSTON & STRAWN LLP

By:

  
Linda T. Coberly  
Bruce R. Braun  
Catherine W. Joyce  
35 W. Wacker Drive  
Chicago, Illinois 60601  
Tel: (312) 558-5600  
Fax: (312) 558-5700

Luke A. Connelly  
200 Park Avenue  
New York, New York 10166  
Ph: (212) 294-6700  
Fax: (212) 294-4700

*Attorneys for Defendants  
Grant Thornton LLP and Mark Ramler*

SO ORDERED:



Dated: January 14, 2013  
New York, NY